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Federal Aviation
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800 Independence Ave., S.W.
Washington, D.C. 20591

JUL 30 1999

RM 9462

Ms. Magalie Roman Salas
Federal Communications Commission
1919 M Street, NW.
Washington, DC 20554

Dear Ms. Salas:

Based on airspace user needs, avionics manufacturers capabilities, and Government regulatory requirements, on May 5, 1998, the Federal Aviation Administration (FAA) made an investment decision to implement the new integrated voice and data link digital communications system developed within the International Civil Aviation Organization in this frequency band. This new system is based on time division multiple access technology and will be implemented beginning in 2002.

The FAA submitted a petition on November 19, 1999 that, *inter alia*, sought to add a Government allocation to the 136-137 MHz segment of the 118-137 MHz Aeronautical Mobile (Route) Service (AM(R)S) frequency band, which is used to support critical safety communications services to civil aviation, and to adopt a revised allotment plan for that segment.


The FAA seeks now to modify the November 19, 1998 petition in order to take into account agreements reached between the FAA and industry on implementation of flight information services, broadcast only (FIS-B) data link capability. The original petition remains valid except as amended in this modification (see enclosure).

Additional petitions for changes to the FCC Code of Federal Regulations, Part 87, will be submitted upon completion of operational standards for VHF digital transmissions in the year 2000.

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If you require any additional information, please contact Ms. Annette Allender, Spectrum Planning and International Division, at (202) 267-3893.

Sincerely,


Gerald J. Markey

Enclosure

Before The
Federal Communications Commission
Washington, D.C., 20554

In the Matter of the Petition of:

The Federal Aviation Administration)	
)	RM 9462
For Amendment of Part 87 of the)	
Commission's Rules Concerning)	
Allocation of the 136-137 MHz)	
Segment of the Aeronautical Mobile)	
(Route) Service Band)	

Comments

The Federal Aviation Administration (FAA) hereby submits comments to revise the Petition for Rulemaking submitted November 19, 1998, by the FAA. This petition, *inter alia*, sought to add a Government allocation to the 136-137 MHz segment of the 118-137 MHz Aeronautical Mobile (Route) Service (AM(R)S) frequency band, which is used to support critical safety communications services to civil aviation, and to adopt a revised allotment plan for that segment. The FAA seeks to modify this petition in order to take into account agreements reached between the FAA and industry on implementation of Flight Information Services (FIS), data link capability. The original petition remains valid except as amended in this modification.

I. Regulatory Policies

The FAA believes that the 136-137 MHz band segment needs to be reallocated as follows in order to accommodate the requirements of civil aviation and, in particular, to provide benefits to general aviation by "freeing up" radio frequencies below 136 MHz where most general aviation radios operate. It should be noted that the FAA doesn't use this spectrum for its own operations. This radio spectrum is used to provide air traffic services communications to private sector aircraft. This new Government allocation is solely to allow FAA to implement ground facilities, which support the critical safety communications needs of civil aviation. The FAA proposes the following for section 2.106 of the rules:

INTERNATIONAL			UNITED STATES			
Region 1 MHz	Region 2 MHz	Region 3 MHz	Band MHz	Government Allocation	Non-Government Allocation	Remarks
136-137 AERONAUTICAL MOBILE (R) Fixed Mobile except aeronautical mobile (R) 591 594A 595			136-136.475	AERONAUTICAL MOBILE (R) US 244 591	AERONAUTICAL MOBILE (R) US244 591	
			136.500-137	 US244 591	AERONAUTICAL MOBILE (R) US244 591	

Consequential to this change, footnote US244 will need to be modified as follows:

The band 136-137 MHz is allocated to the aeronautical mobile (R) service on a primary basis, and is subject to pertinent international treaties and agreements. The frequencies 136.000, 136.025, 136.050, 136.075, 136.100, 136.125, 136.150, 136.175, 136.200, 136.225, 136.250, 136.275, 136.300, 136.325, 136.350, 136.375, 136.400, 136.425, 136.450, and 136.475 are available to the Federal Aviation Administration for air traffic control purposes. Additionally, 136.425, 136.450, 136.475, and 136.500 are available for the needs of the Flight Information Services FIS. This FIS will be available on these frequencies up to the cut-off date of December 31, 2004. The channel plan will be modified on Jan 1, 2005 to delete FIS. Stations licensed prior to January 2, 1990, using the 136-137 MHz band for space operations (space-to-Earth), meteorological-satellite service (space-to-Earth), and the space research service (space-to-Earth) may continue to use this band on a secondary basis to aeronautical mobile (R) service stations. No new assignments will be made to stations in the above space services.

The FAA proposes the following channeling plan for this band:

Frequency	Service	Allotment
136.000 MHz	AM(R)S	ATC
136.025 MHz	AM(R)S	ATC
136.050 MHz	AM(R)S	ATC
136.075 MHz	AM(R)S	ATC
136.100 MHz	AM(R)S	ATC
136.125 MHz	AM(R)S	ATC
136.150 MHz	AM(R)S	ATC
136.175 MHz	AM(R)S	ATC
136.200 MHz	AM(R)S	ATC
136.225 MHz	AM(R)S	ATC
136.250 MHz	AM(R)S	ATC
136.275 MHz	AM(R)S	ATC

136.300 MHz	AM(R)S	ATC
136.325 MHz	AM(R)S	ATC
136.350 MHz	AM(R)S	ATC
136.375 MHz	AM(R)S	ATC
136.400 MHz	AM(R)S	ATC
136.425 MHz	AM(R)S	FIS
136.450 MHz	AM(R)S	FIS
136.475 MHz	AM(R)S	FIS
136.500 MHz	AM(R)S	FIS
136.525 MHz	AM(R)S	AOC
136.550 MHz	AM(R)S	AOC
136.575 MHz	AM(R)S	AOC
136.600 MHz	AM(R)S	AOC
136.625 MHz	AM(R)S	AOC
136.650 MHz	AM(R)S	AOC
136.675 MHz	AM(R)S	AOC
136.700 MHz	AM(R)S	AOC
136.725 MHz	AM(R)S	AOC
136.750 MHz	AM(R)S	AOC
136.775 MHz	AM(R)S	AOC
136.800 MHz	AM(R)S	AOC
136.825 MHz	AM(R)S	AOC
136.850 MHz	AM(R)S	AOC
136.875 MHz	AM(R)S	AOC
136.900 MHz	AM(R)S	AOC
136.925 MHz	AM(R)S	AOC
136.950 MHz	AM(R)S	AOC
136.975 MHz	AM(R)S	AOC

Proposed Change to Section 87.131 of the Rules/Power and Emissions:

Class of Station	Frequency Band/Frequency	Authorized Emission(s)	Maximum Power
... Aeronautical en route and aeronautical fixed	... VHF	A3E, A9W, G1D	200 ² watts
... Airport control tower	VHF	A3E, G1D, G7D	50 watts
... Aircraft (communications)			

...	VHF	A3E, A9W, G1D, G7D	55 watts
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Proposed Change to Section 87.133 of the Rules/Frequency Stability:

Frequency Band... And Categories of Stations	Tolerance	Tolerance
... (5) Band-100 to 137 MHz Aeronautical Stations	... 50 ⁴	... 20 ¹²
... Aircraft and other mobile Stations in the Aviation Services	... 50 ⁵	... 30 ¹³
...		

Note¹² For emissions G1D and G7D, the tolerance is 2 parts per 10⁶.

Note¹³ For emissions G1D and G7D, the tolerance is 5 parts per 10⁶.

...

Proposed Change to Section 87.137 of the Rules/Types of Emission:

Class of Emission	Emission Designator	Authorized Bandwidth (kHz)
...		Below 50 MHz/Above 50 MHz/Freq Dev
G1D	14K0G1D	25
G7D	14K0G7D	25

Proposed Change to Section 87.139 of the Rules/Emission Limitations:

Proposed changes to this area will come about when standards for the operation of VHF digital transmission, are completed in the year 2000.

Proposed Change to Section 87.187/Frequencies:

- ...
- (dd) The frequencies 136.425, 136.450, 136.475, and 136.500 MHz are available for flight information services.

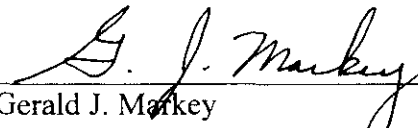
II. Proposed Rules

We request such modifications of Parts 2 and 87 of the Commission's Rules and Regulations as described above and any other consequential changes which are necessary to accomplish the actions outlined above.

This petition also supports the Small Aircraft Manufacturers Association (SAMA) petition for implementation of FIS, which was filed, with the FCC on September 14, 1998.

The Commission's action making the proposed amendments of its Rules is necessary for the FAA to proceed with both the future air/ground communications program and the flight information services program. Prompt action is requested to meet the aggressive schedules for these programs.

Respectfully Submitted,



Gerald J. Markey
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